

REMARKS

Claims 1-74 are pending in the application, with claims 1, 34, and 70 being independent.

Claims 1-7, 10-17, 19, 20, 22-25, 31-40, 45-53, 55, 56, 58-61, and 68-72 stand rejected as anticipated by U.S. Patent No. 6,052,709 (Paul). However, as further explained below, Paul does not provide for all of the features of independent claims 1, 34, and 70. Accordingly, Applicant requests reconsideration and withdrawal of these rejections.

Paul describes determining that an e-mail is likely junk e-mail and marking the e-mail as "JUNK." See, e.g., Paul, Col. 6, Lines 45-63. The Office Action appears to equate marking the e-mail as "JUNK" with "changing the electronic data to reflect information identifying the sender," as recited in claims 1 and 34. See, Office Action, Page 2, Last Paragraph. The Office Action also appears to equate the mark "JUNK" with "an identifier appended to the content area that identifies at least the sender," as recited in claim 70. See, Office Action, page 8, lines 12-13. Applicant disagrees with these positions.

Applicant submits that marking an e-mail as "JUNK" does not meet these features of independent claims 1, 34, and 70. Such a marking identifies a *category* of the e-mail (i.e., junk e-mail). Marking the e-mail as "JUNK" does not identify *the* sender. Thus, while Paul may describe identifying a category of the e-mail, Paul does not describe or suggest identifying the sender themselves, as recited in independent claims 1, 34, and 70.

Claims 8, 9, 18, 21, 41-44, 54, and 57 stand rejected as obvious over Paul in view of U.S. Patent No. 6,212,184 (Venkatachary). Claims 26-30 and 627-67 stand rejected as obvious over Paul in view of U.S. Patent No. 6,654,787 (Aronson). Venkatachary and Aronson, however, do not remedy the above described deficiencies of Paul, nor does the Office Action use them for this proposition.

Accordingly, at least for the reasons described above, independent claims 1, 34, and 70, and the claims that depend from them, are allowable over Paul, Venkatachary, and Aronson. As such, Applicant respectfully requests withdrawal of these rejections.


Enclosed is a \$110.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Applicant : Joseph G. Barrett et al.
Serial No. : 09/978,046
Filed : October 17, 2001
Page : 15 of 15

Attorney's Docket No.: 06975-132002 / Security 09-
CON

Respectfully submitted,

Date: 11/23/04



Kevin E. Greene
Reg. No. 46,031

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331